

**DELAWARE CRIMINAL JUSTICE INFORMATION SYSTEM
BOARD OF MANAGERS
PUBLIC SESSION MEETING MINUTES
April 18, 2019**

OPENING AND ATTENDANCE

The Board of Managers meeting was held at the Delaware Criminal Justice Information System located in Dover, Delaware. Lt. Calhoun called the meeting to order at approximately 10:32 a.m.

Those in attendance included:

BOM MEMBERS

Gregory Patterson	DOJ
Marian Bhate	ODS
Lt. Fred Calhoun	NCCPD
Renee Rigby	DSP
Sec. James Collins	DTI
Marianne Kennedy	JP Court
Saul Hernandez	Family Court
Michelle Darling	DSCYF
Elmer Setting	AOC
Jeffrey Horvath	DE Police
	Chiefs' Council

STAFF

Earl McCloskey	DELJIS
Mary Hansen	DELJIS
Michael Kelly	DELJIS
Alyssa Huenke	DELJIS
Lisa Morris	DAG

PUBLIC AND NON-VOTING PARTIES

Ronald Stoner
Crystal Bradford
Dawn Stevens
Eric Eldridge
Tom Mumford
Henry Alfree
Dr. Dan O'Connell
Dr. Tammy Anderson

I. REVIEW AND APPROVAL OF MEETING MINUTES

BOM Public Session Minutes – Ms. Bhate made a motion to approve the March Board of Managers Public Session meeting minutes. Mr. Horvath seconded the motion. All in favor, motion carried.

BOM Executive Session Minutes – Mr. Patterson made a motion to approve the March Board of Managers Executive Session minutes. Mr. Setting seconded the motion. All in favor, motion carried.

II. HEARINGS

A motion was made by Secretary Collins to enter Executive Session pursuant to 29 Delaware Code §10004 to discuss criminal files and criminal records, the disclosure of which would constitute an invasion of personal privacy, and/or to discuss documents excluded from definition of public record where such discussion may disclose the contents of such documents, including pursuant to §10002 (l)(3)(5)(6)(9) and seconded by Mr. Horvath. All in favor, motion carried.

- Cases 201807040A & 201807040B – Ms. Bhate made a motion to take no action in Cases 201807040A and 201807040B as the Board has determined there was no sustained violation. Mr. Horvath seconded the motion. All in favor, motion carried.
- Case 201807040C – After the Board slid to public session, the Appellant stated he wished to address the Board one more time. DAG Morris advised that anything he said would be included in public record. The Appellant acknowledged that he made a mistake by accessing information he should not have and causing others to do the same. The Appellant stated that he believes the intent was good, but ultimately was not the right decision to make. He added that if he had the chance to go back, he would not make the same mistake. The Appellant advised that he does not want to have to potentially look for another job. The Appellant's union representative added that he reached out to the Appellant's employer to determine whether or not DELJIS access is a requirement for employment and the employer advised that it is a requirement.

Secretary Collins made a motion to revoke the Appellant's access as the Board found a violation of inappropriate access and causing others to engage in inappropriate access. Mr. Hernandez seconded the motion. Five in favor, five opposed. Motion did not carry.

Mr. Setting made a motion to suspend the Appellant's access for a period of one year, followed by reapplying for access, retraining and logging activity for one year. Ms. Bhate seconded the motion. Nine in favor, one opposed. Motion carried.

- Case 201807042 – Mr. Setting made a motion to require the Appellant to re-attend training and log DELJIS activity for a period of six months as the Board determined there was a sustained violation. Ms. Bhate seconded the motion. Six in favor, three opposed. Motion carried.

III. DELJIS ACCESS APPLICATIONS

- University of Delaware, Center for Drug and Health Studies – Ms. Hansen introduced Dr. Dan O'Connell and Dr. Tammy Anderson. Ms. Hansen advised that the University of Delaware Center for Drug and Health Studies is requesting a file download of identifiable crime data for research projects regarding substance abuse and criminal issues. Dr. O'Connell and Dr. Anderson are requesting identifiable data on those involved in the criminal justice system in order to match those individuals across data sets and map activity hot spots. Dr. O'Connell advised that the Center for Drug and Health Studies has received incident arrest data from DELJIS in the past. He added that DELJIS downloaded the data and provided same. Dr. O'Connell then discussed the security measures implemented to protect the data provided. Details of these measures were attached to the application for access that was distributed to the Board. Dr. O'Connell advised that the data is stored on a secured cloud and can only be accessed from two secured computers in the Center. He stated that once the data sets are matched, the identifiers are removed to

produce a de-identified set of data.

Dr. O'Connell advised that the Center for Drug and Health Studies participates in numerous research projects that require DELJIS data. He added that the intent of their request is to obtain a blanket approval to receive data downloads pertaining to future research projects. There was further discussion about the details of how the information and computers are secured. Dr. O'Connell stated that the computers mentioned are strictly used for the research projects and are the only computers that can be used to access the information from DELJIS. Secretary Collins asked if the security plan is approved by CIO Pitts for the University of Delaware. Dr. Anderson advised that the plan was approved by CIO Pitts and there are risk assessments conducted yearly.

Dr. Anderson stated that the Center for Drug and Health Studies currently has an MOU in place for the Delaware Opioid Metric Intelligence Project (DOMIP) that was signed in January 2018. Secretary Collins asked if de-identified data would allow for the project to be completed. Dr. Anderson advised that identified data is required in order to match the information to other data sets. Once the data sets are matched, the data is then de-identified. Secretary Collins advised that he is satisfied from a security standpoint and believes that all security requirements are met. There was discussion regarding how identified data is used and the data elements that are examined in order to match the information across data sets. Currently, the existing MOUs with UD Center for Drug and Health Studies cover identified information, but are for specific research projects. DAG Morris advised that the current process is that a request is presented to the Board on a project-by-project basis. If the Board approves the request, an MOU is signed by UD, DELJIS, and SBI. In the case of this request, the University of Delaware is asking for access for multiple projects. DAG Morris added that the Board is to decide whether to approve the request or to continue to hear requests for individual projects.

Secretary Collins advised that he is in favor of a project-by-project basis. He added that reviewing individual projects allows the Board to evaluate whether or not identifiable information is appropriate for the project. Secretary Collins stated that he would be comfortable with the Executive Director making the determination of whether or not identifiable information is appropriate for each project. There was discussion about the MOUs addressing the topic of dissemination and clarifying what information can and cannot be shared. Dr. Anderson advised that any research papers are submitted for a thirty day review prior to being published to ensure compliance. Ms. Bhate stated that she is supportive of the Executive Director making the determination of whether or not a project needs to be presented to the Board. There was discussion regarding individuals involved in the project and security training being required for the indirect access.

Ms. Bhate made a motion to approve the UD Center of Drug and Health Studies' request for data downloads and delegate authority to the Executive Director to determine if a project needs to be presented to the Board. There will be a master

MOU with addendums for each project between the University of Delaware, DELJIS, and SBI. Secretary Collins seconded the motion. All approved, motion carried.

IV. COMMITTEE REPORTS

There were no committee reports.

V. OLD BUSINESS

- Automated Usage Statistics – In the interest of time, Mr. McCloskey did not review the Automated Usage Statistics.
- Project Status Report – In the interest of time, Mr. McCloskey did not review the Project Status Report.
- DELJIS Regulations – Ms. Bhate made a motion to table the discussion regarding proposed DELJIS regulations in the interest of time. Mr. Hernandez seconded the motion. All in favor, motion carried.

VI. NEW BUSINESS

There was no discussion concerning new business.

VII. PUBLIC COMMENT

There was no public comment.

VIII. ADJOURNMENT

A motion was made by Mr. Horvath to adjourn the meeting at approximately 2:20 p.m. The motion was seconded by Mr. Setting. All in favor, motion carried.